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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/913,931 | 08/20/2001 | Claude Bortolussi | 1999P05602W0US | 5688 |

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EXAMINER

KOBERT, RUSSELL MARC

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2829

DATE MAILED: 02/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/913,931

Applicant(s)

BORTOLUSSI, CLAUDE

Examiner

Russell M Kobert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. A good example of such a title, although not necessarily related to this specific case, could be "*Method and Apparatus for Passive Optical Characterization of Semiconductor Substrates Subjected to High Energy (MEV) Ion Implantation Using High-Injection Surface Photovoltage.*"

2. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required because the specification is replete with improper grammar and fails to give clarity to the disclosed invention. The substitute specification filed must be accompanied by a statement that it contains no new matter. Additionally, the substitute specification should be written in accordance with the guidelines that illustrate the preferred layout for the specification of a utility application.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or

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REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).
"Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37
CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).

(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A
"Sequence Listing" is required on paper if the application discloses a
nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if
the required "Sequence Listing" is not submitted as an electronic
document on compact disc).

3. Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification refers to a "floating amplifier has its inputs connected to the terminals of the shunt and is supplied from a mounting of the double bootstrap type." It is unclear as to how the amplifier "floats" and it is not understood what the term "mounting of the double bootstrap type" means. As best understood, the examiner has interpreted a floating amplifier to be in a floating state with respect to earth ground. As to the meaning of the term "mounting of the double bootstrap type," no clear understanding to what the limitation represents is apparent. Any claim making reference to this term has not been considered due to its indefiniteness.

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Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 1, the terms "an amplifier of the signal of the shunt," "floating amplifier" and "floating supply means" are not clearly understood. As best interpreted by the examiner, the input terminals of the amplifier are connected at opposite ends of the shunt and the amplifier and supply means are floating with respect to ground and have been interpreted as such.

As to claim 4, the term "mounting of the double bootstrap type" is unclear because the specification fails to adequately define what the term represents.

As to claim 9, it is not clearly understood what "a step of differential amplification of the difference between, on the one hand, the signal of chopped voltage at the input of the shunt, and on the other hand, the potential difference at the terminals of the shunt, amplified by the floating amplifier" means.

5. For purposes of examination, with respect to claims 1-7, the examiner considers the invention to be the device for measuring. Limitations to aspects depicted in the claims, not part of the "device for measuring," are not considered to add patentable weight to the invention as claimed.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

~ A person shall be entitled to a patent unless –

• (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-3, 7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Cameron (4360879).

1 Cameron anticipates a device for measuring current (Figure 1) in a line supplied by a voltage (POWER SOURCE) with noise, comprising a shunt (102) mounted in series in the line (that shown but not labeled line which passes through shunt 102 and load 101), characterized in that it comprises an amplifier (103) of the signal of the shunt, hereinafter called a floating amplifier, and a floating supply means (that portion of Figure 1 comprising resistors 131, 132, 133, diodes 135, 136 and capacitor 137) to supply the amplifier with a voltage that follows the supply voltage of the shunt as recited in claim 1.

As to claim 2, the added limitation of the line is a supply line of an asynchronous triphase electric motor being supplied by a chopped voltage, having a power of about 500 watts, in that the shunt has a value of about 1mu are considered limitations which do not add further patentable weight to the claimed device for measuring.

As to claim 3, the ampliflier being a differential amplifier (characteristic of amplifier 103 having inverting and non-inverting inputs) whose inputs are connected (via resistors 130 or 131) on the one hand to an input terminal (-) of the shunt, and, on the other hand, to the output (via resistor 134) of the so-called floating amplifier is shown.

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As to claim 7, the added limitation of the device characterized in that it is used in an electrical power steering for an automotive vehicle is considered a limitation that does not add further patentable weight to the claimed device for measuring.

Cameron anticipates a process for measuring weak current in a line supplied by a voltage with noise, characterized in that it comprises the step of amplifying the signal of difference of potential between the input terminal and output terminal of the shunt by an amplifier called a floating amplifier, supplied by a voltage which follows the supply voltage of the shunt (col 1, ln 5-39) as recited in claim 8.

8. Claims 1, 2, 7 and 8 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Cook et al (4096436).

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Missout (4374359), Maue (5336990) and Mayell et al (5701253) show current sensing devices using shunts in series with transmission lines to measure electrical properties thereof.

10. A shortened statutory period for response to this action is set to expire three month(s) from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell Kobert whose telephone number is (703) 308-5222.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Russell M. Kobert
Patent Examiner
Group Art Unit 2829
January 17, 2003



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